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AZ CORP COMMISSION  
DOCUMENT CONTROL

**BEFORE THE ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE  
APPLICATION OF BLACK  
MOUNTAIN SEWER  
CORPORATION, AN ARIZONA  
CORPORATION, FOR A  
DETERMINATION OF THE FAIR  
VALUE OF ITS UTILITY PLANT  
AND PROPERTY AND FOR  
INCREASES IN ITS RATES AND  
CHARGES FOR UTILITY SERVICES  
BASED THEREON.

No. SW-02361A-05-0657

Arizona Corporation Commission  
**DOCKETED**

NOV 15 2006

DOCKETED BY	nr
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**EXCEPTION OF THE TOWN OF CAREFREE**

The Town of Carefree (the "Town" or "Carefree"), agrees with the conclusion of the proposed opinion and order that "the evidentiary record in this case amply supports the appropriateness of, and the need for, imposition of odor remediation requirements as a condition of granting the rate relief" sought by Black Mountain Sewer Corporation ("BMSC"). The proposed opinion and order is well reasoned and well supported in law and fact. The Town has only a minor factual exception to bring to the attention of the Arizona Corporation Commission.

The minor factual exception the Town has to the proposed opinion and order relates to the description of the cause of the Boulders community odor problems on

1 page 32, lines 12 through 17:

2 According to Carefree witness Francom, the odors in the Boulders  
3 community are attributable to two problems: the long retention time that  
4 sewage sits in the Boulders line, thereby allowing the sewage to become  
5 septic (Tr. 283-285); and "positive pressure" between the CIE Lift Station  
6 and the Boulders WWTP due to the fact that the lines between the lift  
station and discharge manholes in the Boulders community are pressurized,  
but are gravity lines from the Boulders manholes to the WWTP. (*Id.*)

7 According to the testimony of Stanley Francom, the Town's public works  
8 superintendent and former operator of the sewer system now operated by BMSC,  
9 sewage is subject to long retention times in two pressurized pipes that run from the CIE  
10 Lift Station to the Boulders manhole. Sewage is released from the pressurized pipes  
11 into the Boulders manhole and the gravity line from the Boulders manhole to the  
12 WWTP. The retention time allows approximately 18 to 20 thousand gallons to build up  
13 in the pressurized pipes between the CIE Lift Station and the Boulders manhole before  
14 it is released into the Boulders manhole and gravity line that runs through the Boulders  
15 community to the WWTP. The surge of sewage released into in the Boulders manhole  
16 and gravity line increases the air pressure in the gravity line forcing air within the  
17 gravity line to escape. As such, the Town would suggest the following modifications to  
18 the above-quoted language:  
19  
20  
21

22 According to Carefree witness Francom, the odors in the Boulders  
23 community are attributable to two problems: the long retention time that  
24 sewage sits in BETWEEN the CIE LIFT STATION AND THE Boulders  
25 MANHOLE line, thereby allowing the sewage to become septic (Tr. 283-  
26 285); and "positive pressure" CREATED IN THE BOULDERS  
27 MANHOLE AND GRAVITY LINE WHEN SEWAGE IS RELEASED  
28 FROM THE PRESSURE PIPES FROM THE CIE LIFT STATION AND  
INTO THE BOULDERS MANHOLE AND GRAVITY LINE THAT  
FORCES SEWER ODORS OUT OF THE BMSC SYSTEM WITHIN THE  
BOULDERS COMMUNITY, INCLUDING THE ODORS CAUSED BY

1 THE LONG RETENTION TIMES IN THE PRESSURIZED PIPES  
2 BETWEEN THE CIE LIFT STATION AND BOULDERS MANHOLE the  
3 ~~CIE Lift Station and the Boulders WWTP due to the fact that the lines~~  
4 ~~between the lift station and discharge manholes in the Boulders community~~  
5 ~~are pressurized, but are gravity lines from the Boulders manholes to the~~  
6 ~~WWTP. (Id.)~~

7 Other than this minor factual exception, the Town fully supports the proposed opinion  
8 and order.

9 RESPECTFULLY SUBMITTED: November 15, 2006.

10 MOHR, HACKETT, PEDERSON, BLAKLEY  
11 & RANDOLPH, P.C.

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19 ORIGINAL and 13 COPIES *November 15*  
20 of the foregoing filed ~~September 15,~~  
21 2006 with:

22 Arizona Corporation Commission  
23 Docket Control  
24 1200 Washington Street  
25 Phoenix, AZ 85007

26 COPIES of the foregoing hand-delivered  
27 ~~September 15,~~ 2006 to:  
28 *November 15*

The Honorable Dwight D. Nodes  
Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 Washington Street  
Phoenix, AZ 85007

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///  
///  
///

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